

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

| | | |
|-----------------------------------|---|-----------------------|
| THEODORE R. VAUGHN, |) | 8:09CV00217 |
| |) | |
| Plaintiff, |) | ORDER DISMISSING CASE |
| |) | WITH PREJUDICE |
| vs. |) | |
| |) | |
| FITZGERALD RAILCAR SERVICES, INC. |) | |
| |) | |
| Defendant. |) | |

This matter is before the Court on the parties' filing of their Joint Stipulation for dismissal of the above case (Doc. Nos. 45, 47).

Upon review of the Stipulation, the Court finds as follows:

1. The Stipulation is GRANTED.
2. The above case shall be dismissed with prejudice.

Dated this 19th day of August, 2010.

BY THE COURT:

s/ Joseph F. Bataillon
United State District Court Judge